

3:23-mj-00182

DISTRICT OF OREGON, ss:

AFFIDAVIT OF BRETT S. HAWKINSON

Affidavit in Support of a Criminal Complaint and Arrest Warrant

I, Brett S. Hawkinson, being duly sworn, do hereby depose and state as follows:

Introduction and Agent Background

1. I am a police officer with the Portland Police Bureau and have been since November 2001. As part of my duties, I am also designated as a Task Force Officer (TFO) with the Federal Bureau of Investigation (FBI) bank robbery task force and have been designated as such since March 31, 2010. My training and experience include 22 years as a Portland Police officer, and three years of employment with the City of Lynnwood, Washington, Police Department.

2. I submit this affidavit in support of a criminal complaint and arrest warrant charging MARLTON A CANSLER with Bank Robbery in violation of 18 U.S.C. § 2113(a). As set forth below, I have probable cause to believe that CANSLER committed that crime.

3. This affidavit is intended to show only that there is sufficient probable cause for the requested complaint and arrest warrant and does not set forth all my knowledge about this matter. The facts set forth in this affidavit are based on my own personal knowledge, knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers, interviews of witnesses, a review of records related to this investigation, communications with others who have knowledge of the events and circumstances described herein, and information gained through my training and experience.

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Applicable Law

4. 18 U.S.C. § 2113(a) prohibits a person from using force and violence or intimidation to knowingly and unlawfully take or attempt to take currency or any other thing of value from the person or presence of employees of a bank whose deposits insured by the Federal Deposit Insurance Corporation (FDIC) or the National Credit Union Administration (NCUA).

Statement of Probable Cause

5. On Wednesday, August 23, 2023, at approximately 3:20 p.m., a robbery occurred at the On Point Credit Union branch located at 16 NE Fremont Street, in Portland, Multnomah County, Oregon. The money deposited at this bank is insured by the NCUA.

6. The victim teller reported to Portland Police Officer Hernandez that she was working the middle window on teller row when a black male, hereafter referred to as “the robber,” came into the bank. The victim teller said that the robber came to her window and asked if they cashed checks. The victim teller asked the robber if he was a member, and the robber replied, "No." The victim teller asked to see the check; the robber showed her a piece of paper with “jibberish” on it. The victim teller said the robber subsequently reached towards his waistband and said, "I don't want anyone to get hurt." The victim teller thought the robber had a weapon on his belt and was wanting money; the victim teller later indicated that it did not appear that the robber had an actual weapon, but the teller saw defendant touching his belt buckle. The victim teller then tried to hit the alarm button, but it didn't work, so the victim teller messaged her co-workers that she was being robbed. The victim teller said she tried to take money out of her machine, but the machine was not working and would not let her draw any money out. She

said that the robber started to get agitated. The victim teller then asked the bank manager to come over and explained what was happening. The victim teller said that the bank manager went to another machine and drew out money and gave it to the victim teller, who then gave the robber approximately three hundred and fifty dollars (\$350) in US currency, which was then insured by the NCUA.

7. The victim teller described the robber as black male, about 6'0' tall, wearing a blue shirt, and brown work boots, with a “Fu Manchu” type beard.

8. I received images from the video surveillance system from Nate Gwartney with OnPoint Credit Union. I saw that the robber appeared to be a black male, about 6'0' tall, wearing a blue shirt, and brown work boots, with some facial hair.



Above: Robbery Images from ON POINT Credit Union

9. Shortly after the robbery, Gwartney advised me that while reviewing video surveillance, he observed the robber use the Automated Teller Machine (ATM). Gwartney learned the card used at the ATM was in the name of “MARLTON CANSLER” and the card was through Qualstar Credit Union.



Above: Image of robber using the ATM prior to the robbery

10. I obtained a subpoena from the Multnomah County Circuit Court, and served it on Qualstar Credit Union. I learned from the records that the card used on that date and time was for “MARLTON A CANSLER”, with an address in Longview, Washington.

11. I queried the record of MARLTON A CANSLER, and located records to MARLTON CANSLER out of Longview Washington with date of birth XX/XX/__. I know the exact date of birth, but I am omitting it from this affidavit which will become part of the public record.

12. I obtained a photograph of CANSLER from social media and from the Washington State Department of Licensing, and compared the photo of CANSLER to the bank robbery images. I concluded and believe that CANSLER looks like the robber.



Above: Washington Department of Licensing Photo of MARLTON CANSLER.

13. I obtained a photo line up from Lieutenant Jen Ortiz of the Woodland, Washington Police Department. I provided the photo line-up to Officer Cuong Nguyen, who was unaware who the suspect was in the photo line-up. On September 7, 2023, Officer Nguyen conducted a photo line-up with the victim teller; the victim teller positively identified MARLTON CANSLER as the person who robbed her.

Conclusion

14. Based on the foregoing, I have probable cause to believe that MARLTON AARON CANSLER committed bank robbery in violation of 18 U.S.C. § 2113(a). I therefore request that the Court issue a criminal complaint and arrest warrant charging CANSLER with that offense.

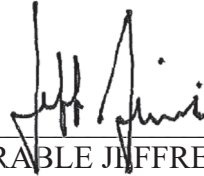
15. Prior to being submitted to the Court, this affidavit, the accompanying complaint, and the arrest warrant were all reviewed by Assistant United States Attorney (AUSA) Leah K. Bolstad. AUSA Bolstad advised me that in her opinion, the affidavit is legally and factually sufficient to establish probable cause to support the issuance of the requested criminal complaint and arrest warrant.

/s/ Brett S. Hawkinson by Phone

BRETT S. HAWKINSON

Task Force Officer, FBI

Subscribed and sworn to by telephone in accordance with the requirements of Fed. R. Crim. P. 4.1 at 2:25 a.m/pm on October 20, 2023.

A handwritten signature in black ink, appearing to read 'Jeff Armistead', is written over a horizontal line.

HONORABLE JEFFREY ARMISTEAD
United States Magistrate Judge